

Arrest on Out-of-District Offense

# UNITED STATES DISTRICT COURT

## SOUTHERN DISTRICT OF CALIFORNIA

### ARREST ON OUT-OF-DISTRICT OFFENSE


Magistrate Case Number: **'07 MJ 8916**

The person charged as Lorenzo GARCIA-Hernandez now appears before this United States District Court for an initial appearance as a result of the following charges having been filed in the United States District Court for the Northern District of California with Illegal Re-Entry Following Deportation in violation of Title 8, United States Code, 1326

The charging documents and the warrant of the arrest of the defendant which was issued by the above United States District Court are attached hereto.

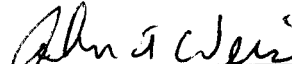
I hereby swear under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

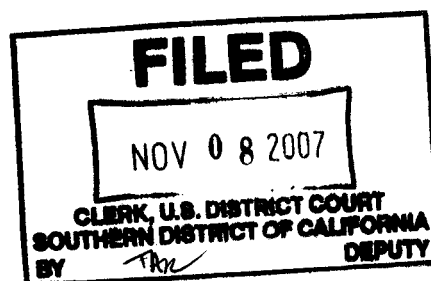
DATED: November 7, 2007.

  
CARLOS SANCHEZ  
DEPORTATION OFFICER  
(Name)

Reviewed and Approved:

Dated: November 7, 2007

  
JOHN F. WEIS  
Assistant United States Attorney



# **DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☐ SUPERSEDING

## **OFFENSE CHARGED**

8 U.S.C. § 1326 - Illegal Re-Entry following Deportation

☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony

## **PENALTY:**

RICHARD W. WIEKING  
 CLERK, U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE  
 20 Years Imprisonment  
 \$250,000 Fine  
 \$100 Special Assessment  
 3 Years Supervised Release

**CR**

**06**

## **PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

BICE

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. Atty ☐ Defense

☐ this prosecution relates to a pending case involving this same defendant

☒ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW  
DOCKET NO.

MAGISTRATE  
CASE NO.  
06-70322 RS

Name and Office of Person  
Furnishing Information on  
THIS FORM

KEVIN V. RYAN

☒ U.S. Atty ☐ Other U.S. Agency

Name of Asst. U.S. Atty  
(if assigned)

JOSEPH A. FAZIOLI

Name of District Court, and/or Judge/Magistrate Location  
NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

LORENZO GARCIA-HERNANDEZ

DISTRICT COURT NUMBER

**00525 RMW HRL**

## **DEFENDANT**

### **IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.  
 1) ☐ If not detained give date any prior summons was served on above charges

2) ☐ Is a Fugitive

3) ☐ Is on Bail or Release from (show District)

### **IS IN CUSTODY**

4) ☐ On this charge

5) ☐ On another conviction

6) ☐ Awaiting trial on other charges

☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... If Arresting Agency & Warrant were not

Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY

☐ This report amends AO 257 previously submitted

## **ADDITIONAL INFORMATION OR COMMENTS**

### **PROCESS:**

☐ SUMMONS ☒ NO PROCESS\*

☐ WARRANT Bail Amount: \_\_\_\_\_

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: \_\_\_\_\_

\*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: \_\_\_\_\_

Before Judge: \_\_\_\_\_

Comments: \_\_\_\_\_

KEVIN V. RYAN (CASBN 118321)  
United States Attorney

FILED  
2006 JUL 26 P 11:15

E-FILING

JOHARD W. WICKING  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION  
Jm

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

CR 06 00525 RMW  
No. HRL

UNITED STATES OF AMERICA,

Plaintiff,

v.

LORENZO GARCIA-HERNANDEZ,

Defendant.

VIOLATION: 8 U.S.C. § 1326 –  
Illegal Re-Entry Following Deportation

SAN JOSE VENUE

INDICTMENT

The Grand Jury charges:

On or about May 18, 2006, the defendant

LORENZO GARCIA-HERNANDEZ,

an alien, previously having been arrested and deported from the United States on or about  
May 30, 1995, January 26, 1999, September 25, 2002, and July 5, 2005, was found in the  
Northern District of California, the Attorney General of the United States and the Secretary for  
Homeland Security not having expressly consented to a re-application by the defendant for  
admission into

//

//

INDICTMENT

1 the United States, in violation of Title 8, United States Code, Section 1326.

2 DATED:

A TRUE BILL.

3  
4 26 July 2006

5 JE Raulson  
FOREPERSON

6  
7 KEVIN V. RYAN  
United States Attorney

8  
9 David R. Callaway  
10 DAVID R. CALLAWAY  
Deputy Chief, San Jose Branch Office

11  
12 (Approved as to form: AUSA Fazioli)

13 AUSA FAZIOLI

14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
  
INDICTMENT